



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/576,245	05/24/2000	Shin Muto	35.C14506	4825

5514 7590 11/12/2002

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

HAMILTON, MONPLAISIR G

ART UNIT	PAPER NUMBER
----------	--------------

2172

DATE MAILED: 11/12/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

TK

Office Action Summary

Application No.

09/576,245

Applicant(s)

MUTO ET AL.

Examiner

Monplaisir G Hamilton

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 September 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7,9-15 and 17-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7,9-15 and 17-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
 If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-24 were amended by the amendment filed on 9/25/02. Claims 1-7, 9-15 and 17-23 remain for examination.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 8/1/2000 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Response to Arguments

3. Applicant's arguments with respect to claims 1-7, 9-15 and 17-23 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1-4, 9-12 and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6430612 issued to Iizuka, herein referred to as Iizuka father in view of US Patent 5778185 issued to Gregerson et al, herein referred to as Gregerson.

Referring to Claims 1, 9 and 17:

Iizuka discloses a device searching apparatus that searches for at least one device on a network (Abstract, lines 1-3), comprising: management means for managing a database that includes identification information for identifying a device on the network and attribute information associated therewith (col 2, lines 27-30; col 5, lines 60-65; col 7, lines 15-21); input means for entering a search condition about a device function in order to search for a desired device on the network (Fig 6, 8; col 9, 35-40); search means for searching for a device from the database that satisfies the search condition entered using said input means (Fig 6, 8; col 9, 35-40); output means for outputting a search result that includes identification information and attribute information of a device that satisfies the search condition (col 9, 35-42); and control means for controlling said search means to request an additional search for additional attribute information of the device, in accordance with a recognition result of said recognition means (col 13, lines 5-15).

Iizuka does not explicitly disclose the claimed “recognition means for recognizing whether a number of devices that satisfy the search condition is greater than a predetermined number;”

Gregerson discloses a find resource module that compares the current level of matches to a max level of matches (Fig 19, col 13, lines 39-50). This is essentially the same as the claimed recognition means.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Iizuka to include a module for determining whether the number of matching devices is above a predetermined threshold. One of ordinary skill in the art would have been motivated to do this because it would return to the user a preset minimum of matching devices.

Referring to Claims 2, 10 and 18:

Iizuka in view of Gregerson discloses the limitations as discussed in Claims 1, 9 and 17 above. Gregerson further discloses a volume of attribute information outputted by said output means when said recognition means recognizes that the number of devices that satisfy the search condition is more than the predetermined number is greater than a volume of attribute information outputted by said output means when said recognition means recognizes that the number of devices that satisfy the search condition is less than the predetermined number (col 14, lines 25-40).

Art Unit: 2172

Referring to Claim 3, 11 and 19:

Iizuka in view of Gregerson discloses the limitations as discussed in Claims 2, 10 and 18 above. Iizuka further discloses a communication means for acquiring device information, registered corresponding to identification information in another apparatus on the network, from the other apparatus (col 1, lines 55-58), wherein said control means controls said communication means to acquire additional information on each device identified in the search result, and causes the additional information to be added to the search result (col 1, lines 55-58).

Referring to Claims 4, 12, and 20:

Iizuka in view of Gregerson discloses the limitations as discussed in Claims 3, 11 and 19 above. Iizuka further discloses an apparatus that manages location information of devices on the network, location information of each device identified in the search result, and to add the location information to the search result (col 13, lines 5-12).

5. Claims 5, 13 and 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Iizuka and Gregerson as applied to Claims 1-4, 9-12 and 17-20 above, and further in view of Network Design Manual *The Future of Enterprise Printing*, herein referred to as Enterprise Network Printing.

Referring to Claim 5, 13 and 21:

Iizuka and Gregerson disclose the limitations as discussed in Claims 3, 11 and 19 above.

Art Unit: 2172

Iizuka and Gregerson do not explicitly disclose the claimed “apparatus that manages charge information of devices on the network, charge information of each device identified in the search result, and to add the charge information to the search result”.

Enterprise Network Printing discloses that a user can be billed for usage of the printer (page 1, lines 13-18).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Iizuka and Gregerson to provide a billing mechanism. One of ordinary skill in the art would have been motivated to do this because it would allow users to determine the cost information of a printer before printing to it (page 1, lines 13-15).

6. Claim 6-7, 14-15, 22-23 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6430612 issued to Iizuka, herein referred to as Iizuka further in view of US 6369909 issued to Shima, herein referred to as Shima.

Referring to Claim 6, 14 and 22:

Iizuka discloses a device searching apparatus that searches for at least one device on a network, comprising (Abstract, lines 1-3): management means for managing a database that includes identification information for identifying a device on the network and static information associated therewith; input means for entering a search condition about a device function in order to search for a desired device on the network (Fig 6, 8; col 9, 35-40); search means for searching for a device from the database that satisfies the search condition entered using said input means (Fig 6, 8; col 9, 35-40); output means for outputting a search result that includes identification

Art Unit: 2172

information and static information of a device that satisfies the search condition (col 9, 35-42); control means for adding dynamic information to the search result, according to a number of devices that satisfy the search condition (Fig 9; col 13, lines 5-15); discrimination means for discriminating a device with a high frequency of use, based on the dynamic information, which relates to a use history of devices on the network (col 7, lines 50-57).

Iizuka does not explicitly disclose the claimed “wherein, in a case in which the number of devices that satisfy the search condition is zero, said control means adds to the search result information of the device with a high frequency of use discriminated using said discrimination means.”

Shima discloses when a printer is not specified selecting a most suitable printer is selected or a printer is selected based on decreasing order of frequency of accumulated use. This is essentially the same as the adding the to the device with a high frequency of use to a search result (col 15, lines 49-55).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Iizuka to provide a mechanism for setting a default device as the device whose frequency of use is the most. One of ordinary skill in the art would have been motivated to do this because it would provide the user with a device that would be the most suitable to complete the print job (col 15, lines 48-51).

Art Unit: 2172

Referring to Claim 7, 15 and 23:

Iizuka and Shima disclose the limitations as discussed in Claim 6 above. Iizuka further discloses an apparatus according to claim 6, wherein, in a case in which a number of devices identified in the search result is at least equal to a predetermined value, said control means is adapted to acquire dynamic information from a device that satisfies the search condition and to add the dynamic information to the search result (Fig 9; col 13, lines 5-15).

Prior Art

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6421675 issued to Ryan, Grant James et al. Ryan discloses a method of updating an internet search engine database with the results of a user's selection of specific web page listings from the general web page listing provided to the user as a result of his initial keyword search entry.

US 6407823 issued to Aoki, Mikio. Aoki discloses a network system, which comprises a client printer and a server device, which has high processing ability, which are connected via a communication line, is presented. The client printer requests data processing of printing data, which it will print itself, from the server device on the network. The server device receives the necessary data processing program from the client printer or another device on the network

when it does not itself have the necessary data processing program, and performs the data processing.

US 5819047 issued to Bauer, Eric Jonathan et al. Bauer discloses a method for authorizing the allocation of a resource of a computing system to a user on a network-wide basis using network-wide quotas. When a resource consumption request is received by an authority, a network-wide maximum-use quota amount of the resource that is associated with the user is compared to a network-wide resource amount that is in-use by the user.

US 5647056 issued to Barrett, Lorraine F. et al. Barrett discloses a method and apparatus for interfacing a peripheral to a local area network with an interactive network board connected to the peripheral via a bi-directional peripheral interface and connectable to the local area network via a local area network interface. The interactive network board executes an access management program such as a socket server to monitor the local area network for communications from a network client directed to a proprietary socket.

US 5421011 issued to Camillone, Nicholas A. et al. Camillone discloses is a method and system for allowing resource control in a UNIX-based system to be done on an aggregate, or group, basis. This enables both access control and accounting to be done in units of groups instead of units of users.

Final Rejection

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 2172

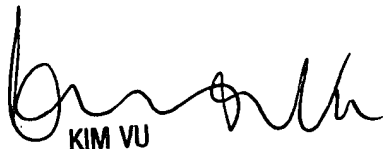
Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monplaisir G Hamilton whose telephone number is 1703-305-5116. The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on 1703-305-4393. The fax phone numbers for the organization where this application or proceeding is assigned are 1703-746-7239 for regular communications and 1703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 1703-305-3900.

Monplaisir Hamilton
October 22, 2002


KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100